

## **REMARKS**

### **A. Restriction Requirement**

The present application was subjected to a restriction requirement under 35 U.S.C. 121. Applicant hereby confirms the provisional election without traverse made by the attorney of record as set forth in the office action. Applicant has canceled the claims directed to the non-elected invention without prejudice or disclaimer for prosecution in a divisional application.

### **B. Outstanding Action**

Claims 24-36 have been withdrawn from consideration as being directed to a non-elected species.

Claims 10 and 13 were rejected under 35 U.S.C. 112.

Claims 1-23 were rejected under 35 U.S.C. 102(b) or 35 U.S.C. 103 as stated in the outstanding office action.

### **C. Status Of Claims**

Claims 1-36 were pending in the application prior to the instant Amendment.

Claims 2, 3, 6, 8, 15, 16, 19 and 21 have been canceled without prejudice or disclaimer

Claims 24-36 have been canceled without prejudice or disclaimer as being directed to a non-elected species.

Claim 37 has been added.

Claims 1, 4, 5, 7, 9-14, 17, 18, 20, 22, 23 and 37 are now pending.

D. Amendments To The Claims

The claim(s) has been amended in accordance with the enclosed marked up copy.

E. Interview

Applicant and the Attorney for Applicant thank the Examiner for his kind and courteous interview of June 8, 2005. At the aforementioned interview, the attorney for applicant submitted proposed claim 1 (Currently Amended) which further defines the subject matter of the invention. The attorney for applicant stated the proposed claim 1 (Currently Amended) more specifically defined the lower section and the upper section of the invention. The attorney for applicant also demonstrated a specimen of the invention.

F. Pending Claim

U.S.C. 112 Rejection

Claims 10 and 13 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Claims 10 and 13 have been amended to overcome the rejection under 35 U.S.C. 112.

35 U.S.C. 102 and 35 U.S.C. 103 Rejection

Claims 1-23 were rejected under 35 U.S.C. 102(b) or 35 U.S.C. 103 as stated in the outstanding office action. Applicant has amended claim 1 to more particularly point out and distinctly claim the subject matter of the invention. More specifically, claim 1 has been amended to recite a wire support for supporting an object from a base surface comprising a plurality of wires with each of the wires having a lower section, an intermediate section and an upper section. The plurality of wires are twisted along the intermediate sections for providing an upright

support. Each of the lower sections of the plurality of wires extends outwardly from the upright support and terminates in a lower distal area extending generally parallel to the upright support for enabling the lower distal area of the lower section to be inserted into the base surface to mount the wire support. Each of the upper sections of the plurality of wires has an upper region extending outwardly from the upright support and terminating in an upper distal area extending generally parallel to the upright support for insertion into the object to support the object relative to the base surface.

Dependent claims 4, 5, 7 and 9-10 are dependent upon independent claim 1 and should be allowable upon allowance of independent claim 1.

Independent claim 11 was rejected under 35 U.S.C. 102(b) or 35 U.S.C. 103 as stated in the outstanding office action. Applicant has amended claim 11 to more particularly point out and distinctly claim the subject matter of the invention. More specifically, claim 11 has been amended to recite a wire support for supporting an object from a base surface comprising a first and a second wire each having a lower section, an intermediate section and an upper section. The first and second wires are identical to one another. The first and second wires are formed in a spirally twisted first and second helix along the intermediate sections for providing an upright support. Each of the lower sections of the first and second wires extend outwardly from the upright support and terminate in a lower distal area extending generally parallel to the upright support for enabling the lower distal area of the lower section to be inserted into the base surface to mount the wire support. Each of the upper sections of the first and second wires has an upper region extending outwardly from the upright support and terminating in an upper distal area extending generally parallel to the upright support for insertion into the object to support the object relative to the base surface.

Dependent claims 12-14, 17-18 and 20 are dependent upon independent claim 11 and

should be allowable upon allowance of independent claim 1.

Claim 22 has been amended to be in independent form to include all of the structure set forth in claim 11 as currently amended. In addition, claim 22 set forth a minor length of an upper end of each of the intermediate sections of the first and the second wires comprises a straight portion for providing lateral support to a minor bottom portion of an object inserted between the straight portions of the upper ends of the intermediate sections.

Independent claim 37 has been added to include all of the structure set forth in claim 11 as currently amended as well setting forth a portion of the structure in claim 22. More specifically, claim 37 sets forth that each of the upper sections of the first and second wires have an upper region extending outwardly from the upright support and terminating in an upper distal area extending generally parallel to the upright support for insertion into the object to support the object relative to the base surface. A minor length of an upper and a lower end of each of the intermediate sections of the first and the second wires comprise a straight portion for enabling rotation of the first wire relative to the second wire for folding the wire support.

Applicant respectfully submits the cited references either singularly or in combination do not anticipate nor render obvious the inventions as presently claimed.

The prior art made of record but not relied upon has been reviewed and appears to be less pertinent to the claimed subject matter than the references cited by the Examiner. The remaining references do not teach nor suggest the structure set forth in the proposed claim

G. Precautionary Request for an Extension of Time

In the event the present filing is not timely filed, applicant request an Extension of Time for an appropriate period of time. Please charge Deposit Account No. 06-2120 for the fees for any Extension of Time.

H. Additional Fees

Please charge Deposit Account No. 06-2120 for the fees for any additional claims, an Extension of Time, Citation of Prior Art, Petitions, Terminal Disclaimers or any other fee arising out of this correspondence.

Applicant verily believes that all claims are now in condition for allowance and favorable action is respectfully requested. The undersigned attorney of record cordially invites any telephonic communications from the examiner that may assist the examiner in the examination and to expedite the allowance and issuance of Letters Patent on the subject invention.

Respectfully submitted,

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Certificate of Mailing

It is hereby certified that the foregoing correspondence and fee is being placed in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 and mailed by first class mail, postage prepaid, this 29<sup>th</sup> day of June, 2005.



1. (Currently Amended) A wire support for supporting an object from a base surface;  
comprising:

a plurality of wires with each of said wires having a lower section, an intermediate section  
and an upper section;

said plurality of wires being twisted along said intermediate sections for providing an  
upright support;

~~said lower sections of said plurality of wires extending outwardly from said upright support  
for insertion into the base surface to mount the wire support; and~~

~~each of said lower sections of said plurality of wires extending outwardly from said upright  
support and terminating in a lower distal area extending generally parallel to said upright support  
for enabling said lower distal area of said lower section to be inserted into the base surface to mount  
the wire support; and;~~

~~said upper section of said plurality of wires extending outwardly from said upright support  
for engaging with the object to support the object relative to the base surface.~~

~~each of said upper sections of said plurality of wires having an upper region extending  
outwardly from said upright support and terminating in an upper distal area extending generally  
parallel to said upright support for insertion into the object to support the object relative to the base  
surface.~~

2. Canceled

3. Canceled

4. (Original) A wire support for supporting an object as set forth in claim 1, wherein said

plurality of wires being twisted includes said plurality of wires forming a plurality of helixes; and  
said plurality of helixes being spirally intertwined for providing said upright support;

5. (Currently Amended) A wire support for supporting an object as set forth in claim 1, wherein each ~~of said lower region sections has a lower region~~ extending generally transverse to said upright support ~~for enabling~~ enables an operator to apply a force to said lower region for facilitating insertion of said lower section into the base surface.

6. Canceled

7. (Currently Amended) A wire support for supporting an object as set forth in claim 1, wherein each ~~of said upper region sections has an upper region~~ extending generally transverse to said upright support ~~for enabling~~ enables an operator to apply a force to said upper region for facilitating insertion of said upper section into the object.

8. Canceled

9. (Original) A wire support as set forth in claim 1, wherein a minor length of an upper and a lower end of each of said intermediate sections of said first and said second wires comprise a straight portion for providing lateral support to a minor bottom portion of an object inserted between said straight portions of said upper ends of said intermediate sections and for enabling rotation of said first wire relative to said second wire for folding said wire support.

10. (Original) A wire support as set forth in claim 1, wherein said upper section of said

plurality of wires having a first and a second end said first end proximate said upright support and wherein each of the upper sections terminates in an upper distal area extending generally lower than said first end relative to horizontal to support the object relative to the base surface.

11. (Currently Amended) A wire support for supporting an object from a base surface; comprising:

a first and a second wire each having a lower section, an intermediate section and an upper section;

~~said first and second wires being identical to one another;~~

said first and second wires being ~~formed in a spirally twisted first and second helix~~ along said intermediate sections for providing an upright support;

~~said lower sections of said first and second wires extending outwardly from said upright support for insertion into the base surface to mount the wire support; and~~

~~each of said lower sections of said first and second wires extending outwardly from said upright support and terminating in a lower distal area extending generally parallel to said upright support for enabling said lower distal area of said lower section to be inserted into the base surface to mount the wire support; and;~~

~~said upper section of said first and second wires extending outwardly from said upright support for engaging with the object to support the object relative to the base surface.~~

~~each of said upper sections of said first and second wires having an upper region extending outwardly from said upright support and terminating in an upper distal area extending generally parallel to said upright support for insertion into the object to support the object relative to the base surface.~~



12. (Original) A wire support for supporting an object as set forth in claim 11, wherein each of said first and said second wires has a wire diameter in a range of 0.125 inches to 0.5 inches.

13. (Original) A wire support for supporting an object as set forth in claim 11, further comprising a flexible material ribbon, said flexible material ribbon being twisted along said intermediate section and said flexible material ribbon proximate said first and said second wires.

14. (Original) A wire support for supporting an object as set forth in claim 11, further comprising a flexible material ribbon transverse to said intermediate section, said flexible material ribbon extending between said first and said second wires.

15. Canceled

16. Canceled

17. (Currently Amended) A wire support for supporting an object as set forth in claim 11, wherein said intermediate sections of said first and said second wires ~~being twisted and spirally intertwined and having~~ have a twist to length ratio range of two to ten turns per foot.

18. (Currently Amended) A wire support for supporting an object as set forth in claim 11, wherein each of said lower region sections ~~has a lower region~~ extending generally transverse to said upright support ~~for enabling~~ enables an operator to apply a force to said lower region for facilitating insertion of said lower section into the base surface.

19. Canceled

20. (Currently Amended) A wire support for supporting an object as set forth in claim 11, wherein each ~~of said upper region sections has a upper region~~ extending generally transverse to said upright support ~~for enabling~~ enables an operator to apply a force to said upper region for facilitating insertion of said upper section into the object.

21. Canceled

22. (Currently Amended) A wire support ~~as set forth in claim 11, wherein~~ for supporting an object ~~from a base surface; comprising:~~

a first and a second wire each having a lower section, an intermediate section and an upper section;

said first and second wires being identical to one another;

said first and second wires being formed in a spirally twisted first and second helix along said intermediate sections for providing an upright support;

each of said lower sections of said first and second wires extending outwardly from said upright support and terminating in a lower distal area extending generally parallel to said upright support for enabling said lower distal area of said lower section to be inserted into the base surface to mount the wire support;

each of said upper sections of said first and second wires having an upper region extending outwardly from said upright support and terminating in an upper distal area extending generally parallel to said upright support for insertion into the object to support the object relative to the base surface; and

a minor length of an upper ~~and a lower~~ end of each of said intermediate sections of said first and said second wires ~~comprise~~ comprising a straight portion for providing lateral support to a minor bottom portion of an object inserted between said straight portions of said upper ends of said intermediate sections ~~and for enabling rotation of said first wire relative to said second wire for folding said wire support.~~

23. A wire support as set forth in claim 11, wherein said upper section of said plurality of wires having a first and a second end said first end proximate said upright support and wherein each of the upper sections terminates in an upper distal area extending generally lower than said first end relative to horizontal to support the object relative to the base surface.

24. Canceled

25. Canceled

26. Canceled

27. Canceled

28. Canceled

29. Canceled

30. Canceled

31. Canceled

32. Canceled

33. Canceled

34. Canceled

35. Canceled

36. Canceled

37. (New) A wire support for supporting an object from a base surface; comprising:

a first and a second wire each having a lower section, an intermediate section and an upper section;

said first and second wires being identical to one another;

said first and second wires being formed in a spirally twisted first and second helix along said intermediate sections for providing an upright support;

each of said lower sections of said first and second wires extending outwardly from said upright support and terminating in a lower distal area extending generally parallel to said upright support for enabling said lower distal area of said lower section to be inserted into the base surface to mount the wire support;

each of said upper sections of said first and second wires having an upper region extending outwardly from said upright support and terminating in an upper distal area extending generally parallel to said upright support for insertion into the object to support the object relative to the base surface; and

a minor length of an upper and a lower end of each of said intermediate sections of said first and said second wires comprise a straight portion for enabling rotation of said first wire relative to said second wire for folding said wire support.